

Legislative Analysis



STRICT DISCIPLINE ACADEMY ENROLLMENT ELIGIBILITY

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4665 as enacted
Public Act 42 of 2018
Sponsor: Rep. Rob VerHeulen
House Committee: Education Reform
Senate Committee: Education
Complete to 6-18-18

BRIEF SUMMARY: House Bill 4665 would amend the Revised School Code (MCL 380.1311g) to allow a student enrolled in a strict discipline academy (SDA) to remain at that school, at the option of the student's parent or guardian, even after the student no longer falls into one of the categories for enrollment (identified below), as long as the student meets the other applicable requirements for enrollment. Also, where enrollment in an SDA currently requires parent placement and school referral, the bill would instead require only one of those.

FISCAL IMPACT: There would be no fiscal impact for the state or local units of government. However, state aid funding follows pupils to the district in which the pupil is enrolled, so there could be a minimal redistribution between districts depending on the pupil's enrollment.

THE APPARENT PROBLEM:

Strict discipline academies, a type of public school academy (PSA) or charter school, were incorporated into Michigan law following the Columbine High School shooting in 1999 as part of a push for school safety measures. Other such measures include zero tolerance suspension and expulsion policies for certain offenses. The goal of SDAs is largely to provide education in a more controlled environment to a population that is unable to participate in a traditional school setting. SDAs typically require metal detector checks at the school door, uniforms, and strict adherence to behavior policies.

A representative of the SDA Lighthouse Academy testified before the committee that the Code does not presently allow students to stay at an SDA after a suspension period has expired. The bill is intended to expand the circumstances under which a student could be placed at an SDA and to allow a student to stay beyond the term of suspension.

THE CONTENT OF THE BILL:

The bill would allow students who previously would have been placed in an SDA following both the school referral and parent placement to attend an SDA if referred by the student's school or placed in the SDA by a parent or guardian. It would also remove the provisions that a suspended student may only attend for the duration of the suspension.

The following students are eligible for enrollment at a strict discipline academy:

- A student placed in an SDA by a court or by the Michigan Department of Health and Human Services (MDHHS) or a county juvenile agency under the direction of a court.
- A student who has been expelled for possessing a dangerous weapon in a weapon-free school zone or committing arson or criminal sexual conduct at school.
- A student in grade six or above who has been expelled for committing a physical or verbal assault against a school employee, volunteer or contractor; for making a bomb threat or similar threat against the school; or under another provision of the Revised School Code.
- Other students who have been expelled from school, or suspended for more than 10 days, and who are referred to the SDA by the student's school and placed in the SDA by the student's parent or legal guardian. (The bill would revise this, so that instead of requiring school referral and placement by a parent or guardian, either referral or placement would be sufficient for enrollment.)
- A special education student who has not been suspended or expelled, but whose individualized education program (IEP) team recommends placement in an SDA.
- A student who has not been suspended or expelled, but who is placed in a high- or medium-security juvenile facility, mental health facility, or child caring institution that is operated by a private company.

Under the bill, SDAs could also enroll a student who became a resident of the state as an unaccompanied or resettled minor under the care of the Michigan Department of Health and Human Services and who is less than 22 years old as of September 1 of the current school year.

ARGUMENTS:

For:

Proponents argue that making it easier for students to enroll in and remain at SDAs would offer an important option to students, who may be more successful in a long-term strict learning environment. Additionally, it would benefit the school by providing it with a larger and more stable enrollment. According to committee testimony, Lighthouse Academy's seven locations enroll 1,400 students per year, but only about 375 per day.

Against:

Critics wonder whether the option to remain at an SDA rather than returning to a traditional school environment allows students an easy way out, however. They added that the current requirement that both a school and parent or guardian agree to a student's placement at an SDA is also important, as both bring valuable information to the conversation.

Legislative Analyst: Jenny McInerney
Fiscal Analysts: Bethany Wicksall
Samuel Christensen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.